

REMARKS

Claims 1-18 are the claims currently pending in the Application.

Formal Matters

Applicant thanks the Examiner for acknowledging the claim for foreign priority and the receipt of the priority document.

Further, Applicant thanks the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statement filed on August 13, 2002.

Rejection of Claim 18 under 35 U.S.C. § 101

Claim 18 is rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is traversed.

Applicant respectfully submits that the claim as filed is directed to subject matter allowed under the statute. However, in the interest of expediting prosecution of the Application, claim 18 is amended. This amendment is not made to narrow the scope of the claim. Therefore, this rejection should now be withdrawn.

Rejections Citing the Gazzuolo Reference

Several claim rejections are set forth citing the Gazzuolo reference:

- (1) Claims 1, 2, 7-11, 13-16 and 18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gazzuolo, U.S. Patent No. 6,546,309;
- (2) Claims 3-6 are rejected under 35 U.S.C. § 103 as being obvious from

Gazzuolo in view of Kawahara, "Virtual Fitting Room with Spoken Dialogue Interface (Special Issue on Next Generation Human Interface and Interaction)", IPSJ Journal, vol. 39, No. 05-011, May 1998; and

(3) Claims 12 and 17 are rejected under 35 U.S.C. § 103 as being obvious from Gazzuolo in view of the Official Notice taken.


Each of these rejections is traversed. The Japanese Patent Application from which the present U.S. Application claims priority, Japanese Patent Application No. 2000-166599, filed in Japan on June 2, 2000, predates the 35 U.S.C. § 102(e) date of Gazzuolo, the date of filing of the provisional application of Gazzuolo. Gazzuolo was filed on June 29, 2001, based on Provisional Application 60/215,026, filed on June 29, 2000.

Filed herewith is an English-language translation of the Japanese Patent Application from which the present U.S. Application claims priority, Japanese Patent Application No. 2000-166599. Accordingly, priority of the present Application is hereby perfected. Therefore, Gazzuolo should be removed as a reference against the present Application.

Kawahara and the Official Notice do not disclose or suggest the features required by independent claims 1, 8, 14, and 18, and the Examiner does not allege that they do disclose or suggest these features. Therefore, these rejections should now be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



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**Encl.: English-language translation of Japanese Patent
Application No. 2000-166599**